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ABSTRACT

To address concerns of an excess of paperwork documenting compliance with the Individuals with Disabilities Education Act, a survey of all 50 state education agencies was conduced that investigated the role of state education agencies in the documentation of special education procedures. The survey listed 19 types of forms related to documentation requirements in state and federal special education laws and regulations. Respondents were asked to check one of four columns for each form to indicate whether the state education agency: (1) developed and mandates the form's use by districts; (2) developed and recommends the form's use by districts; (3) developed the form for district information only; or (4) has no state developed form of that type. Findings indicate that although 23 states have developed one or more forms that are mandated for district use, the majority of states reported that they do not mandate the use of state-developed forms. Only five types of forms on the survey were mandated by 10 or more states: procedural safeguards notice, Individualized Education Program form, secondary transition plan form, parental permission for initial evaluation, and the Individualized Family Service Plan form. Data charts are included that indicate the use of special education forms. (CR)

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State Special Education Forms. Quick Turn Around (QTA)

Eileen M. Ahearn

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Quick Turn Around

Project FORUM

QTA – A brief analysis of a critical issue in special education

State Special Education Forms

Eileen M. Ahearn, Ph.D.

September 2002

Purpose and Method

One of the major issues mentioned in connection with the pending reauthorization of the Individuals with Disabilities Education Act (IDEA) is the time spent on documenting compliance with the procedural requirements related to the law, commonly referred to as "paperwork." Many believe this paperwork is an unnecessary burden. In preparation for a policy forum on the topic held June 12-14, 2002, Project FORUM gathered information about the role of state education agencies (SEAs) in the documentation of special education procedures. Specifically, under its Cooperative Agreement #H326F000001 with the U. S. Department of Education Office of Special Education Programs (OSEP), Project FORUM at the National Association of State Directors of Special Education (NASDSE) conducted a survey of states in March-April 2002 concerning the forms states develop and mandate or recommend for use in their districts.

The Project developed a survey with a list of 19 types of forms related to documentation requirements in state and federal special education laws and regulations. Respondents were asked to check one of four columns for each form to indicate whether the SEA: a) developed and *mandates* the form's use by districts; b) developed and *recommends* the form's use by districts; c) developed the form for district information only; or, d) has no state developed form of that type. Instructions for the survey also requested respondents to send a copy of the forms developed by the SEA or to provide a specific web address where a copy is available for download. Respondents were also asked to describe any other forms developed by the SEA but not already listed on the survey.

Responses were received from all 50 states. All respondents either sent paper copies of their forms or indicated how their forms could be accessed on the Internet. The SEA website for every state was visited to review any available information about documentation even if there had been no specific location mentioned on the survey response.

Findings

Findings from the survey are illustrated in the four tables appended to this document. Table I consists of a summary of state-specific responses by type of form; Table II contains comments included by states in their survey responses; Table III lists total responses by type of form, and Table IV contains each state's total for the 19 types of forms in the survey reflecting the in-state variation.

This document is available in alternative formats. For details, please contact Project FORUM staff at 703-519-3800 (voice) or 7008 (TDD)

State-Mandated Forms

Although 23 states have developed one or more forms that are *mandated* for district use, the majority of states reported that they do *not* mandate the use of state-developed forms.

Only five types of forms on the survey were mandated by 10 or more states:

- Procedural Safeguards Notice - 17 states (34%);
- IEP Form - 14 states (28%);
- Secondary Transition Plan form - 13 states (26%);
- Parental Permission for Initial Evaluation – 10 states (20%); and,
- IFSP Form – 10 states (20%).

In addition, some states noted that their forms are being revised: all of Indiana's forms are being redesigned, and two states—New York and Rhode Island—indicated that they are working on the development of forms for mandated district use.

State-Recommended Forms

The majority of responses indicated that states had not developed forms. For only two of the 19 types listed on the survey (Procedural Safeguards Notice and IEP Form) did the *majority* of states check the column "state developed and recommended for district use." When the two columns indicating mandated and recommended forms are added together, the data further reveal that a majority of states expect or require that all districts will use only four of the forms—the two mentioned above plus the form for Parental Permission for Initial Evaluation and the form for Secondary Transition Plan. One state noted that a group of districts had jointly developed forms that many other districts had chosen to use. In some states, when a form is recommended by the state for use, a district must submit for prior approval any changes it wishes to make in the state-recommended version.

Additional Forms

As noted in Table II, 31 states responded that they have developed forms other than the 19 listed on the survey. Some examples are:

- Notice of Evaluation Delay
- Notice of IEP Re-Evaluation Decision
- Surrogate Parent Form
- Eligibility Determination Form
- Notice of Finding of No Disability
- Transfer of Parental Rights Form
- LRE Documentation
- Disability Determination Form(s)

In some of the states that have forms for documenting the determination of a specific disability, a single form covers all disability types. However, other states use multiple forms for this purpose. For example, Wisconsin has a single form, while Wyoming has 16 different forms with each one listing the specific criteria, which must be met for the student to be designated as eligible under that disability category.

Some states mentioned that they have developed a procedures manual that contains instructions for the IEP process and that describes the type of documentation required by law and regulation. Some of these manuals are very lengthy and detailed. One example is the new Texas *Legal Framework for the Child-Centered Special Education Process* developed through a regional education service center and available in electronic form on both the state and the regional center web sites.[1]

[1] www.tea.state.tx.us/special.ed/samp.html and www.esc18.net

Almost all states that have developed forms make them available on the Internet. Many of them also provide translations, most commonly in Spanish, but sometimes in many other languages. For example, special education forms are available in 13 different languages in Maryland and in 16 different languages in Massachusetts.

Concluding Remarks

All but three states (California, Texas and Utah) have at least one state-developed form, indicating a recognized need within states to standardize the special education process. However, there is wide variation among states in the content, format, and prescribed usage for these forms. Although gathering information from the district level was beyond the scope of this document, it can be assumed that there is even more extensive variation among and within states when a state does not mandate the use of standard forms.

Excessive paperwork is cited by many as a problem in special education. Although states and districts are faced with the dilemma of documenting compliance with federal law, the majority of states have not adopted mandated forms to meet this need. This analysis is an initial set of data that can inform discussions for local and state problem solving and for the upcoming reauthorization of IDEA.

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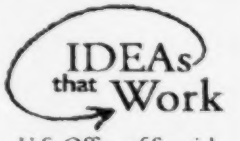

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Project FORUM Survey of State-Developed Special Education Forms

Table I: State Responses by Type of Form

Type of Form	State Developed & Mandated for Use by Districts	State Developed & Recommended for Use by Districts	State Developed for Info Only	No State Developed Form
Referral for Initial Evaluation	AL, AR, HI, IL, OK, PA, WV, WY	AK, CO, CT, ID, MI, MO, MT, NC, ND, OH, TN, WI	MS, NH, NV, OR	AZ, CA, DE, FL, GA, IN, IA, KS, KY, LA, ME, MA, MD, MN, NE, NJ, NM, NY, RI, SC, SD, TX, UT, VA, VT, WA
Pre-Referral Activities Report Form	AL, AR, WY	CO, CT, ID, MT, NC, ND, WI	HI, KS, MS, OR, VA	AK, AZ, CA, DE, FL, GA, IL, IN, IA, KY, LA, ME, MA, MD, MI, MO, MN, NE, NV, NH, NJ, NM, NY, OH, OK, PA, RI, SC, SD, TN, TX, UT, VT, WA, WV
Procedural Safeguards Notice	AL, AK, AR, CT, DE, HI, IL, LA, MA, MO, MS, NJ, NY, OK, PA, WV, WY	AZ, CO, FL, GA, ID, KS, KY, ME, MD, MI, MN, MT, NE, NV, NH, NM, NC, ND, OH, OR, SC, SD, TN, VA, VT, WA, WI		CA, IN, IA, RI, TX, UT
Parental Permission for Initial Evaluation	AL, AR, HI, IL, LA, MA, OK, PA, WV, WY	AK, AZ, CO, CT, GA, ID, KS, KY, MI, MN, MO, MS, MT, NM, NC, ND, OH, SC, SD, TN, VT, WA, WI	NE, NV, NH, OR, VA,	CA, DE, FL, IN, IA, ME, MD, NJ, NY, RI, TX, UT
Report of Each Assessment	AL, AR, HI, PA	AK, AZ, CO, ID, ME, MA, MN, NC, ND, TN, WA, WI	KS, MS, NE, NH	CA, CT, DE, FL, GA, IL, IN, IA, KY, LA, MD, MI, MO, MT, NV, NJ, NM, NY, OH, OK, OR, RI, SC, SD, TX, UT, VA, VT, WV, WY
Minutes or Report of IEP Meeting	AR	AK, CO, CT, GA, KY, ME, MI, MT, NM, VT, WI	MS, NE, NV, NH	AL, AZ, CA, DE, FL, HI, ID, IL, IN, IA, KS, LA, MA, MD, MN, MO, NJ, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, WA, WV, WY
IEP Form	AL, AR, DE, HI, IA, LA, MA, NV, OK, OR, PA, RI, WV, WY	AK, AZ, CO, CT, FL, GA, ID, IL, KS, KY, ME, MI, MN, MO, MS, MT, NJ, NM, NC, ND, OH, SC, SD, TN, VT, WA, WI	NE, NH, VA	CA, IN, MD, NY, TX, UT
IFSP Form	HI, IL, IA, LA, MA, MD, NE, OK, OR, PA	CO, FL, GA, ID, KS, ME, MI, MN, MO, ND, SD, TN, VA	MS	AL, AK, AR, AZ, CA, CT, DE, IN, KY, MT, NV, NH, NJ, NM, NY, NC, OH, RI, SC, TX, UT, VT, WA, WV, WI, WY
Secondary Transition Plan Form	AL, AR, DE, HI, LA, MA, NV, OK, OR, PA, RI, WV, WY	AK, AZ, CO, CT, GA, ID, IL, KS, ME, MI, MO, MT, NJ, NM, NC, ND, OH, SC, SD, TN, WI	NH	CA, FL, IN, IA, KY, MD, MN, MS, NE, NY, TX, UT, VA, VT, WA
Part C to Part B Transition Plan Form	MD, OK, OR	CO, MI, MN, ND, RI, SD, TN; VT	NV,	AL, AK, AR, AZ, CA, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MA, MO, MS, MT, NE, NH, NJ, NM, NY, NC, OH, PA, SC, TX, UT, VA, WA, WV, WI, WY
Assessment Plan Form	AR, DE, MA, OK, PA, WV	AZ, CO, MI, NM, NC, ND, OH, VT, WA	GA, KY, NV, OR	AL, AK, CA, CT, FL, HI, ID, IL, IN, IA, KS, LA, ME, MD, MN, MO, MS, MT, NE, NH, NJ, NY, RI, SC, SD, TN, TX, UT, VA, WI, WY
Assistive Technology Form	HI, PA	CO, MI, ND, TN	GA, ID, LA, MS, OK, WI	AL, AK, AR, AZ, CA, CT, DE, FL, IL, IN, IA, KS, KY, ME, MA, MD, MN, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OH, OR, RI, SC, SD, TX, UT, VA, VT, WA, WV, WY
Functional Behavior Assessment Report Form	AR, HI	AL, AK, CO, IL, ME, MI, MT, NC, ND, OH, PA, RI, SC, TN, WI	DE, GA, ID, MS, NV, NH, OK, VA	AZ, CA, CT, FL, IN, IA, KS, KY, LA, MA, MD, MN, MO, NE, NJ, NM, NY, OR, SD, TX, UT, VT, WA, WV, WY
Behavioral Intervention Plan Form		AL, AK, CO, HI, IL, ME, MI, MT, NJ, NC, PA, RI, SC, TN, WI	DE, GA, ID, MS, NV, NH, VA	AR, AZ, CA, CT, FL, IN, IA, KS, KY, LA, MA, MD, MN, MO, NE, NM, NY, ND, OH, OK, OR, SD, TX, UT, VT, WA, WV, WY
Manifestation Determination Form	AR, HI	AL, AK, CO, IL, ME, MI, MN, NC, ND, OH, PA, RI, SC, WI	NV, NH, WV	AZ, CA, CT, DE, FL, GA, ID, IN, IA, KS, KY, LA, MA, MD, MO, MS, MT, NE, NJ, NM, NY, OK, OR, SD, TN, TX, UT, VA, VT, WA, WY
Request for Independent Educational Evaluation		IL, WI		AL, AK, AR, AZ, CA, CO, CT, DE, FL, GA, HI, ID, IN, IA, KS, KY, LA, ME, MA, MD, MI, MN, MO, MS, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WY
Progress Report	AR, HI, MA, PA	AL, AK, CO, CT, ID, IL, ME, MN, MO, NV, NM, ND, TN	MT	AZ, CA, DE, FL, GA, IN, IA, KS, KY, LA, MD, MI, MS, NE, NH, NJ, NY, NC, OH, OK, OR, RI, SC, SD, TX, UT, VA, VT, WA, WV, WI, WY
Annual IEP Review Form	AL, AR, HI, LA, MA, OK, PA, RI, WV, WY	AK, CO, FL, IL, ME, MI, MO, MS, NV, NJ, NM, NC, SC, TN, WA, WI		AZ, CA, CT, DE, GA, ID, IN, IA, KS, KY, MD, MN, MT, NE, NH, NY, ND, OH, OR, SD, TX, UT, VA, VT
Parental Rejection of IEP	PA	KS, MI, MN, NV, SC, TN, WI		AL, AK, AR, AZ, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KY, LA, ME, MA, MD, MO, MS, MT, NE, NH, NJ, NY, NM, NC, ND, OH, OK, OR, RI, SD, TX, UT, VA, VT, WA, WV, WY

Project FORUM Survey of State-Developed Special Education Forms
Table II: Additional Comments/Other Forms

STATE	COMMENTS/OTHER FORMS
AL	Added forms include Consent for Re-Evaluation, Consent for Provision of Service, Notice of IEP Decision Regarding Revaluation. Some forms are on the web.
AK	Additional forms for Paraeducator Training and Prior Written Notice. Web also has manual with forms that include a 504 Student Accommodation Plan form.
AR	Pre-referral info is part of referral form and not a separate form; Report of Assessment for initial only; Sec. Transition & Progress forms in IEP; Assessment Plan form is part of permission form; Many other required forms – see download from web.
AZ	On web there are "Functional Standard Status Forms" that "may" be used for program planning purposes (see form for details about these forms)
CA	A state IEP form is being developed. A set of sample IEP forms developed by a district are on web.
CO	Added forms (available on web) = 3 for review meeting (for EC, K-Age 14 & Transition), Determination of Disability (one for each category), Notice of Graduation or Max Age, Communication Plan, Literacy Modality Form, ESY Form (copies with survey form)
CT	If LEA does not use recommended forms, it must get approval for any modification or use of an alternate form. Transition and Progress Report forms are part of IEP. Also have Notice of IEP Team Meeting and LRE Checklist forms.
DE	Required forms are on the web. Added mandated form is Evaluation Summary Report.
FL	Forms are not mandated, but suggested forms are included in some state TA documents and checklists have been developed to review forms developed by districts.
GA	Some forms on the web.
HI	No forms on the web.
ID	All forms including added ones such as IEP Amendments and Invitation to Meeting, are available on the web in a 500 page manual.
IL	All forms are on the web in English and Spanish including the added form for Request for Due Process.
IN	All forms under revision pending new state rules. All survey responses = "No State Developed Form."
IA	The mandated IEP form becomes effective in the fall of 2002.
KS	Also have Consent for Placement and Meeting Notice forms.
KY	Web page contains all forms and a PowerPoint Forms Training Presentation. Also have Consent for Services, Invitation to Meeting and LD Written Report forms as well as optional individual eligibility forms by category.
LA	Added mandated for use forms include criteria for eligibility for OOL test & AA test, justification for site determination, referral to EI, IFSP report. State recommended for use is a re-evaluation report, & for information only is an orientation mobility screening checklist.
ME	The SEA has developed a detailed guide to special education and the Maine Administrators of Services for Children with Disabilities has produced Model Special Education Forms. The only forms on the web are Request for Placement of Exceptional Students, Special Education Program Report, Report of Contracted Services, and financial forms.
MA	Also have Placement Designation, notification of Increased Instructional Group Size, Notice of Intent to Use Unapproved Program, Request for Waiver, and Extended Evaluation forms. Forms are also translated into 16 languages and available on the web.
MD	Procedural safeguards notice available on web in English and 13 other languages.
MI	Some forms are products of State discretionary Grant Projects. Additional forms include Request for Hearing, Notice of Placement, and Interim Alternative Educational Setting Forms. Some forms are on the web.
MN	Other forms developed by state and recommended for use are Notice of Transfer of Parental

STATE	COMMENTS/OTHER FORMS
	Rights, Notice of District Proposed Action or Denial, Notification of Transfer To Non-Public School, Request For Due Process Hearing, High Standards Chart And Notice of Meeting. Forms on web in English and 7 other languages.
MS	No forms on the web.
MO	Also have Documentation of Re-Evaluation, Notification of Meeting, Public Notice and Transfer of Parental Rights model forms and Homebound Instruction Application.
MT	Forms available on the web.
NE	Forms on web include added forms: Notification of IEP Meeting, Notice and Consent for Initial Placement, Notice and Consent for Re-evaluation, Notice of Change of Placement, and Notice of Discontinuation of Special Education Services.
NV	In some instances, districts have discretion to use additional district-developed forms.
NH	All state forms are advisory in nature and include an additional 18 forms. All are advisory in nature and reflect state regulations that go beyond federal requirements in some areas.
NJ	Parental Rights document is translated into 10 languages and available on the web. Manifestation Determination Form is being developed.
NM	Additional forms used for ESY, Determination of Eligibility, and Invitation to Meeting. Forms in area of behavior, discipline are being developed as is a checklist for assistive technology and an IEP manual.
NY	NY is in the process of developing forms for mandated district use. The ones under consideration include meeting notices, referral forms, due process forms, parent consent forms, IEP forms and FERPA forms.
NC	Forms on the web in English and Spanish.
ND	Also have Consent for Initial Placement form. Only IEP and transition forms on web.
OH	Each district has the option to adopt the state forms or create their own for approval – all have all chosen to adopt the state forms.
OK	All forms available on the web.
OR	Exemplary forms developed by districts are frequently shared for forms not developed by state. Added forms developed by state include disability eligibility forms and prior notice/consent for district information only. Forms on web in English and Spanish.
PA	All required forms are available on the web.
RI	New state forms will be issued in July 2002.
SC	Other forms include: Proposal to Change Identification or Placement, LRE Documentation, Documentation of IEP Consideration of Special Factors, and Documentation for Provision of Braille Instruction. Sample forms available on the web.
SD	All forms are on the web with technical assistance guides for birth to 3 and school age.
TN	Forms on web in Spanish also.
TX	Data from TX is not included on the chart because the SEA is moving away from state sample forms and developing a "Framework for Implementation of Effective Student-Centered Special Education Services." It is an electronic summary of requirement by topic intended to allow the LEA to manage required documentation and avoid unnecessary paperwork.
UT	A group of districts developed forms that most districts have chosen to use, but there are no state forms. A Procedural Safeguards Notice form is being developed to be recommended for use by districts.
VT	Added forms include Notice of Meeting, Disability Determination Form, and Notification of Evaluation Delay. A 26 page Parents' Rights booklet available on web.
VA	Behavior forms included in extensive training manual.
WA	Additional state developed forms include Prior Written Notice, Medicaid Services Log, and Request for Due Process Hearing. State developed forms available on the web.
WV	IFSP form does exist in the DHHR.
WI	Forms and manual on web. Part C forms in another agency.
WY	All forms on web plus 16 forms for eligibility by disability.

Project FORUM Survey of State-Developed Special Education Forms
Table III: Total Responses by Type of Form

Type of Form	State Developed & Mandated for Use by Districts	State Developed & Recommended for Use by Districts	State Developed for District Info Only	No State Developed Form
Referral for Initial Evaluation	N=8	N=12	N=4	N=26
Pre-Referral Activities Report Form	N=3	N=7	N=5	N=35
Procedural Safeguards Notice	N=17	27	N=0	N=6
Parental Permission for Initial Evaluation	N=10	N=23	N=5	N=12
Report of Each Assessment	N=4	N=12	N=4	N=30
Minutes or Report of IEP Meeting	N=1	N=11	N=4	N=34
IEP Form	N=14	N=27	N=3	N=6
IFSP Form	N=10	N=13	N=1	N=26
Secondary Transition Plan Form	N=13	N=21	N=1	N=15
Part C to Part B Transition Plan Form	N=3	N=8	N=1	N=38
Assessment Plan Form	N=6	N=9	N=4	N=31
Assistive Technology Form	N=2	N=4	N=6	N=38
Functional Behavior Assessment Report Form	N=2	N=15	N=8	N=25
Behavioral Intervention Plan Form	N=0	N=15	N=7	N=28
Manifestation Determination Form	N=2	N=14	N=3	N=31
Request for Independent Educational Evaluation	N=0	N=2	N=0	N=48
Progress Report	N=4	N=13	N=1	N=32
Annual IEP Review Form	N=10	N=16	N=0	N=24
Parental Rejection of IEP	N=1	N=7	N=0	N=42

Table IV: Forms by State

(Number of Forms in Survey = 19)

STATE	State Mandated Forms	State Recommended Forms	State Developed for Info. Only	No State Developed Forms	STATE	State Mandated Forms	State Recommended Forms	State Developed for Info. Only	No State Developed Forms
AL	8	4	0	7	MT	0	9	1	9
AK	1	11	0	7	NE	1	1	4	13
AZ	0	6	0	13	NV	2	4	8	5
AR	13	0	0	6	NH	0	1	9	9
CA	0	0	0	19	NJ	1	4	0	14
CO	0	17	0	2	NM	0	8	0	11
CT	1	7	0	11	NY[2]	1	0	0	18
DE	4	0	2	13	NC	0	12	0	7
FL	0	4	0	15	ND	0	14	0	5
GA	0	7	4	8	OH	0	8	0	11
HI	12	1	1	5	OK	9	0	2	10
ID	0	9	3	7	OR	4	1	4	10
IL	4	8	0	7	PA	12	3	0	4
IN[1]	0	0	0	0	RI[2]	3	4	0	12
IA	2	0	0	17	SC	0	9	0	10
KS	0	6	2	11	SD	0	6	0	13
KY	0	4	1	14	TN	0	14	0	5
LA	6	0	1	12	TX	0	0	0	19
ME	0	11	0	8	UT	0	0	0	19
MD	2	1	0	16	VT	0	6	0	13
MA	10	1	0	9	VA	0	2	5	12
MI	0	15	0	4	WA	0	6	0	13
MN	0	9	0	10	WV	7	0	1	11
MS	1	3	8	7	WI	0	14	1	4
MO	1	7	0	11	WY	7	0	0	12

[1]All forms under revision.

[2]Mandated forms under development.

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